



BURLINGTON PLANT POLICY AND PROCEDURE



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PROFESSIONAL ENGINEER CERTIFICATION

[40 CFR §112.3(d)]

I hereby certify that I have examined the CNH America, LLC, Burlington, Iowa plant, and being familiar with the provisions of Title 40 CFR Part 112, attest that this Spill Prevention Control and Countermeasure Plan has been prepared in accordance with good engineering and environmental management practices, including consideration of applicable industry standards, and in accordance with EPA requirements of the SPCC final rule dated July 17, 2002.

Henry E. Adamiak, P.E.

Printed Name of Registered Professional Engineer

Henry E. Adamiak

Signature of Registered Professional Engineer

October 6, 2009

Date

Iowa #14696

State of Registration and Number

December 31, 2010

Expiration Date



CERTIFICATION OF SUBSTANTIAL HARM DETERMINATION FORM

Facility Name: CNH America, LLC
Facility Address: 1930 Des Moines Avenue
City/State/Zip: Burlington, Iowa 52601

1. Does the facility transfer oil over water to or from vessels and does the facility have a total oil storage capacity of greater than or equal to 42,000 gallons?
Yes _____ No X
2. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and does the facility lack secondary containment that is sufficiently large to contain the capacity of the largest aboveground oil storage tank plus sufficient freeboard to allow for precipitation within any aboveground tank area?
Yes _____ No X
3. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and is the facility located at a distance (as calculated using the appropriate formula in Attachment C-III of this appendix or a comparable formula¹) such that a discharge from the facility could cause injury to fish and wildlife and sensitive environments? For further description of fish and wildlife and sensitive environments, see Appendices I, II, and III to DOC/NOAA's "Guidance for Facility and Vessel Response Plans: Fish and Wildlife and Sensitive Environments (see Appendix E to this part, section 10, for availability) and the applicable Area Contingency Plan.
Yes _____ No X
4. Does the facility have a total oil storage capacity greater than or equal to 1 million gallons and is the facility located at a distance (as calculated using the appropriate formula in Attachment C-III to this appendix or a comparable formula) such that a discharge from the facility would shut down a public drinking water intake²?
Yes _____ No X
5. Does the facility have a total oil storage capacity of greater than 1 million gallons and has the facility experienced a reportable oil spill in an amount greater than or equal to 10,000 gallons within the last 5 years?
Yes _____ No X

CERTIFICATION:

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document and that based on my inquiry of those individuals responsible for obtaining this information, I believe that the submitted information is true, accurate, and complete.

Signature

Title

Name (Please type or print)

Date

¹ If a comparable formula is used documentation of the reliability and analytical soundness of the comparable formula must be attached to this form.

² For the purposes of 40 CFR part 112, public drinking water intakes are analogous to public water systems as described at 40 CFR 143.2 (c)



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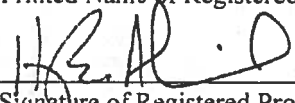
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Henry E. Adamiak, P.E.

Printed Name of Registered Professional Engineer

 4/15/2004

Signature of Registered Professional Engineer

Illinois #062-051928

State of Registration and Number

November 30, 2005

Expiration Date

